

# SENATE BILL REPORT

## SB 5773

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As Passed Senate, March 8, 2007

**Title:** An act relating to treatment records.

**Brief Description:** Modifying treatment records provisions.

**Sponsors:** Senators Hargrove, Parlette and Keiser; by request of Department of Social and Health Services.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/06/07, 2/16/07 [DP].

Passed Senate: 3/08/07, 47-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell and McAuliffe.

**Staff:** Indu Thomas (786-7459)

**Background:** There are federal and state confidentiality laws regarding sharing medical billing information. Federal confidentiality laws permit sharing medical billing information for the purposes of care coordination. The state law prohibits sharing mental health drug and diagnosis information contained in a medical bill.

**Summary of Bill:** The Department of Social and Health Services is authorized to share drug, emergency room, and hospital information that may contain a mental health diagnosis with the client's prescribing providers for the purposes of care coordination.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: The current statutory construction reduces the ability of the Department of Social and Health Services to work with providers to coordinate care with emergency room physicians who provide care for the same individuals. A pilot project that allowed the sharing of this information in a limited number of cases reduced the number of prescriptions by 25 percent. A pilot project working with children resulted in an

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even greater reduction in multiple prescriptions. Billing information will be shared without the specific consent of the client. This will permit for improved care coordination. Doctors need the information to treat a patient properly. There are times when consumers are not able to share the necessary information with their doctors, because they are in crisis. It is far more detrimental to the consumers when they are given medication that has previously not been effective and causes adverse side effects.

OTHER: This is a positive step but it is a continuing intrusion into an individual's privacy rights. The technology utilized is not real time and should be improved.

**Persons Testifying:** PRO: Jeff Thompson, Health and Rehabilitation Services Administration, Department of Social and Health Services; Charles Albertson, citizen.

OTHER: Jean Wessman, Association of Counties and Charles Benjamin, North Sound Mental Health Administration.